



Alan C. Lloyd, Ph.D.
Agency Secretary

State Water Resources Control Board

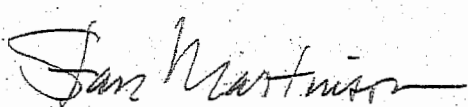
Division of Water Quality

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Arnold Schwarzenegger
Governor

TO: John Robertus, Executive Officer
San Diego Regional Water Quality Control Board

FROM: 
Stan Martinson, Chief
DIVISION OF WATER QUALITY

DATE: DEC 20 2004

SUBJECT: REGIONAL BOARD REQUEST FOR CLARIFICATION ON SWRCB
RESOLUTION NO. 2004-0052, SCRIPPS INSTITUTION OF
OCEANOGRAPHY EXCEPTION FROM THE ASBS DISCHARGE
PROHIBITION

It is our understanding that Scripps Institution of Oceanography (SIO) has objected to requirements in tentative Order No. R9-2004-0378 that would impose monitoring requirements and numerical effluent limitations on discharges of storm water, particularly from Outfall 002. It is our understanding that Outfall 002 has recently been modified to discharge only storm water and no longer discharges any waste seawater.

As requested by John Phillips of your staff, we have reviewed the record for State Board Resolution No. 2004-0052 and offer the following explanation.

One intention of the conditions in the exception was to determine the contributions of storm water runoff to pollutant loading in the ASBS. While staff was well aware of the numerous potential discharge locations from the SIO campus (93 in total), and that the vast majority of these were storm water and nonpoint sources, it was decided to limit the effluent monitoring to the most likely largest volumes of storm water runoff, which coincidentally also co-mingle with waste seawater in the same general vicinity (near the pier). Based on that knowledge, it was the SWRCB's intention that storm water and waste seawater would be monitored by compositing samples from Outfalls 002, 003, 004A, and 004B. For monitoring purposes, it is irrelevant that SIO has eliminated waste seawater from Outfall 002. Storm water discharges from Outfall 002 must still be monitored and included in the composite samples required by the exception. Alternatively, the Regional Board may require individual monitoring of Outfalls 002, 003, 004A, and 004B (or any combination of individual and composite monitoring of these outfalls). After analysis, SIO must report the data for each individual outfall (or group of outfalls) and a calculated flow weighted composite result for all four outfalls collectively.

California Environmental Protection Agency

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STATE WATER RESOURCES CONTROL BOARD

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Effluent limits must be applied to all the monitored outfalls (001, 002, 003, 004A, and 004B) which discharge waste seawater and/or storm water, whether co-mingled or not. A single set of numerical effluent limitations (for each appropriate Ocean Plan constituent) is required for Outfall 001. The State Board, in granting the exception, intended to treat storm water-only discharges differently than discharges containing wastewater seawater, including waste seawater discharges that are co-mingled with storm water. The State Board intended that storm water-only discharges be regulated through effluent limits that consist of requirements to develop and implement appropriate best management practices, through the storm water management plan (SWMP), to achieve Ocean Plan objectives. (See Resolution No. 2004-0052, Conditions g. through j.) Consistent with that intent, the State Board recommends effluent limits for Outfall 002 that implement the SWMP-related requirements. Outfalls 003, 004A, and 004B must have numerical effluent limitations that implement Ocean Plan objectives, either individually or on their collective effluent. The Regional Board may allow a reasonable time period for SIO to comply with numerical effluent limitations.

If you have any questions, please call me at (916) 341-5458. The staff person most knowledgeable on this subject is Dominic Gregorio, and he can be reached at (916) 341-5488. You may also call Gerald Bowes, Chief of the Standards Development Section, at (916) 341-5567.

cc: John Phillips, Region 9 ✓
Sheila Vassey, OCC
Dominic Gregorio, DWQ